

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

SHARON BOBBITT, Individually and On	)	No. 04-12263-PBS
Behalf of All Others Similarly Situated,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	
	)	
ANDREW J. FILIPOWSKI, et al.,	)	
	)	
Defendants.	)	
	)	
<hr/>	)	
JAMES F. HOWARD, Individually and On	)	No. 06-11072-PBS
Behalf of All Others Similarly Situated,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	
	)	
ANDREW J. FILIPOWSKI, et al.,	)	
	)	
Defendants.	)	
	)	
<hr/>	)	

[PROPOSED] ORDER APPROVING PLAN OF ALLOCATION OF SETTLEMENT  
PROCEEDS

This matter having come before the Court on Plaintiffs' motion for approval of the Plan of Allocation of settlement proceeds in the above-captioned action; the Court having considered all papers filed and proceedings had herein; and otherwise being fully informed in the premises;

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that:

1. For purposes of this Order, the terms used herein shall have the meanings set forth in the Amended Stipulation of Settlement dated as of March 20, 2008 ("Stipulation").

2. Pursuant to and in compliance with Rule 23 of the Federal Rules of Civil Procedure, this Court hereby finds and concludes that due and adequate notice was directed to all Persons and entities who are Class Members, advising them of the Plan of Allocation and of their right to object thereto, and a full and fair opportunity was accorded to all Persons and entities who are Class Members to be heard with respect to the Plan of Allocation.

3. The Court hereby finds and concludes that the formula for the calculation of the claims of Authorized Claimants which is set forth in the Notice of Pendency and Proposed Settlement of Class Action, Motion for Attorney Fees and Settlement Fairness Hearing ("Notice") sent to Class Members provides a fair and reasonable basis upon which to allocate the proceeds of the Settlement Fund established by the Stipulation among Class Members, with due consideration having been given to administrative convenience and necessity. This Court hereby finds and

concludes that the Plan of Allocation set forth in the Notice is, in all respects, fair, reasonable and adequate and the Court hereby approves the Plan of Allocation.

IT IS SO ORDERED.

DATED: \_\_\_\_\_

\_\_\_\_\_  
THE HONORABLE PATTI B. SARIS  
UNITED STATES DISTRICT JUDGE

Respectfully submitted,

GILMAN AND PASTOR, LLP  
DAVID PASTOR  
60 State Street, 37th Floor  
Boston, MA 02109  
Telephone: 617/742-9700  
617/742-9701 (fax)

COUGHLIN STOIA GELLER  
RUDMAN & ROBBINS LLP  
SAMUEL H. RUDMAN  
DAVID A. ROSENFELD  
MARIO ALBA, JR.  
58 South Service Road, Suite 200  
Melville, NY 11747  
Telephone: 631/367-7100  
631/367-1173 (fax)

COUGHLIN STOIA GELLER  
RUDMAN & ROBBINS LLP  
ELLEN GUSIKOFF STEWART

\_\_\_\_\_  
s/ Ellen Gusikoff Stewart  
ELLEN GUSIKOFF STEWART

655 West Broadway, Suite 1900  
San Diego, CA 92101-3301  
Telephone: 619/231-1058  
619/231-7423 (fax)

STULL, STULL & BRODY  
HOWARD T. LONGMAN  
6 East 45th Street  
4th Floor  
New York, NY 10017  
Telephone: 212/687-7230  
212/490-2022 (fax)

Co-Lead Counsel for Plaintiffs and the Class

ROBBINS UMEDA & FINK, LLP  
MARC M. UMEDA  
610 West Ash Street, Suite 1800  
San Diego, CA 92101  
Telephone: 619/525-3990  
619/525-3991 (fax)

Attorneys for Plaintiffs Mike Turner, James F.  
Howard and Chris Brown

C:\Program Files\DocsCorp\pdfDocs PDF\users\dscott\Import\ORD ALLOCATION 00052066.doc

CERTIFICATE OF SERVICE

I hereby certify that on June 17, 2008, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses denoted on the attached Electronic Mail Notice List, and I hereby certify that I have mailed the foregoing document or paper via the United States Postal Service to the non-CM/ECF participants indicated on the attached Manual Notice List.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on June 17, 2008.

s/ Ellen Gusikoff Stewart

ELLEN GUSIKOFF STEWART

COUGHLIN STOIA GELLER

RUDMAN & ROBBINS LLP

655 West Broadway, Suite 1900

San Diego, CA 92101-3301

Telephone: 619/231-1058

619/231-7423 (fax)

E-mail: EllenG@[csgrr.com](mailto:EllenG@csgrr.com)

CERTIFICATE OF SERVICE

I hereby certify that on June 17, 2008, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses denoted on the attached Electronic Mail Notice List, and I hereby certify that I have mailed the foregoing document or paper via the United States Postal Service to the non-CM/ECF participants indicated on the attached Manual Notice List.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on June 17, 2008.

s/ Ellen Gusikoff Stewart

ELLEN GUSIKOFF STEWART

COUGHLIN STOIA GELLER  
RUDMAN & ROBBINS LLP  
655 West Broadway, Suite 1900  
San Diego, CA 92101-3301  
Telephone: 619/231-1058  
619/231-7423 (fax)  
E-mail: EllenG@[csgrr.com](mailto:EllenG@csgrr.com)

## Mailing Information for a Case 1:04-cv-12263-PBS

### Electronic Mail Notice List

The following are those who are currently on the list to receive e-mail notices for this case.

- **Bruce S. Barnett**  
bruce.barnett@dlapiper.com,janine.medina@dlapiper.com
- **Thomas David Brooks**  
tdbrooks@sperling-law.com
- **Joel G. Chefitz**  
jchefitz@mwe.com
- **Christopher J. Panos, Trustee of the Sabine, Inc. Liquidating Trust**  
jkoltun@craigmacauley.com
- **Joseph Edward Collins**  
joseph.collins@dlapiper.com
- **Mayeti Gametchu**  
mgametchu@wolfblock.com,mahall@wolfblock.com
- **Ellen Anne Gusikoff Stewart**  
elleng@csgrr.com,elleng@csgrr.com
- **James E. Hanlon , Jr**  
hanlonj@howrey.com
- **Howard T. Longman**  
tsvi@aol.com
- **Kevin J. O'Connor**  
koconnor@wolfblock.com,mahall@wolfblock.com
- **David Pastor**  
dpastor@gilmanpastor.com,rkaloutas@gilmanpastor.com,sdurgin@gilmanpastor.com
- **Stephanie R. Pratt**  
spratt@segalroitman.com,jstein@segalroitman.com
- **David A. Rosenfeld**  
drosenfeld@csgrr.com
- **Samuel H. Rudman**  
SRudman@csgrr.com
- **Anne R. Sills**

asills@segalroitman.com,sgillin@segalroitman.com,tsullivan@segalroitman.com

- **Bruce S. Sperling**  
bss@sperling-law.com
- **Mary T. Sullivan**  
msullivan@segalroitman.com,jstein@segalroitman.com,sgillin@segalroitman.com
- **Marc A. Topaz**  
ecf\_filings@sbtclaw.com
- **Marc M. Umeda**  
notice@ruflaw.com,zimmer@ruflaw.com,umeda@ruflaw.com

## Manual Notice List

The following is the list of attorneys who are **not** on the list to receive e-mail notices for this case (who therefore require manual noticing). You may wish to use your mouse to select and copy this list into your word processing program in order to create notices or labels for these recipients.

### **Guri Ademi**

Ademi & O'Reilly  
3620 East Layton  
Cudahy, WI 53110

### **Shpetim Ademi**

Ademi & O'Reilly  
3620 East Layton  
Cudahy, WI 53110

### **Celiza Patricia Braganca**

Sperling & Slater  
55 West Monroe Street  
Suite 3200  
Chicago, IL 60603

### **Michael A. Duffy**

Kirkland & Ellis LLP  
200 East Randolph Drive  
Chicago, IL 60601

### **Eugene J. Frett**

Sperling & Slater  
55 West Monroe Street  
Suite 3200  
Chicago, IL 60603

### **John A.D. Gilmore**

DLA Piper Rudnick Gray Cary US LLP  
One International Place, 21st Floor  
100 Oliver Street  
Boston, MA 02110-2600

### **John F. Hartmann**

Kirkland & Ellis LLP  
200 East Randolph Drive



Chicago, IL 60601

**Bruce C. Howard**

Law Offices of Robert D. Allison  
122 South Michigan Avenue 1850  
Chicago, IL 60603

**Douglas Warren Hyman**

Piper Rudnick LLP  
203 North LaSalle Street  
#1900  
Chicago, IL 60601-1293

**Samuel Bayard Isaacson**

Piper Rudnick LLP  
203 North LaSalle Street  
#1900  
Chicago, IL 60601-1293

**Daniel J. Lyne**

Hanify & King  
Professional Corporation  
One Beacon Street  
Boston, MA 02108-3107

**Marvin Allen Miller**

Miller Faucher and Cafferty, LLP  
30 North LaSalle Street  
Suite 3200  
Chicago, IL 60602

**Christopher B. Sanchez**

Miller Faucher and Cafferty, LLP  
30 North LaSalle Street  
Suite 3200  
Chicago, IL 60602

**Patrick J. Sherlock**

Beigel, Schy, Lasky, Cohen, Rifkind & Hennessey  
11 South LaSalle  
Suite 1600  
Chicago, IL 60606

**Jennifer Winter Sprengel**

Miller Faucher and Cafferty, LLP  
30 North LaSalle Street  
Suite 3200  
Chicago, IL 60602

**Lawrence A. Wojcik**

Piper Rudnick Gray Cary US LLP  
203 N. LaSalle  
Suite 1800  
Chicago, IL 60601-1293